

Fitzpatrick
37166-090605



**ROANOKE CITY COUNCIL
REGULAR SESSION**

**SEPTEMBER 6, 2005
9:00 A.M.**

ROOM 159

AGENDA

Call to Order--Roll Call. (All Council Members were present. Mr. Lea arrived late.)

A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, and to interview an applicant for a vacancy on the Industrial Development Authority, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

Approved (6-0, Council Member Lea was not present when the vote was recorded.)

File #110-132

A communication from Vice-Mayor Beverly T. Fitzpatrick, Jr., requesting that Council convene in a Closed Meeting for consultation with legal counsel on a matter of actual litigation, where such consultation in open meeting would adversely affect the litigating posture of Council, pursuant to Section 2.2-3711(A)(7), Code of Virginia (1950), as amended.

Approved (6-0, Council Member Lea was not present when the vote was recorded.)

File #132

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended.

Approved (6-0, Council Member Lea was not present when the vote was recorded.)

File #132

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended.

Approved (6-0, Council Member Lea was not present when the vote was recorded.)

File #132

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended.

Approved (6-0, Council Member Lea was not present when the vote was recorded.)

File #132

Items listed on the 2:00 p.m. Council docket requiring discussion/clarification, and additions/deletions to the 2:00 p.m. agenda. (5 minutes)

Topics for discussion by the Mayor and Members of Council. (15 minutes)

- Victory Stadium Consultant contract
The City Manager was requested to amend the contract with Heery International to provide for a market study as part of the ongoing Victory Stadium study.

Items for discussion at a joint meeting of Council and the Roanoke Redevelopment and Housing Authority on Monday, October 3, 2005, at 12:00 p.m.

BRIEFINGS:

- Legislative Issues – 30–40 minutes
- Day Avenue Project – 20 minutes
- New Fire Station at Franklin Road – 20 minutes
- **The City Manager was requested to submit a recommendation with regard to a comprehensive independent study of the City's emergency response operations; i.e: fire, emergency medical services, police and water safety, etc.**
- FY2005 Year End Financial Presentation 30 minutes
- Cadet Program 10 minutes
- Martin Luther King, Jr. Bridge (1:30 p.m.) – 15 minutes

THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED AT 2:00 P.M., IN THE CITY COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING.



**ROANOKE CITY COUNCIL
REGULAR SESSION**

**SEPTEMBER 6, 2005
2:00 P.M.**

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call. (All Council Members were present.)

The Invocation was delivered by Mayor C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

Welcome. Mayor Harris.

NOTICE:

Today's Council meeting will be replayed on Channel 3 on Thursday, September 8, 2005, at 7:00 p.m., and Saturday, September 10, 2005, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE WEDNESDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGEMENTS:

The Mayor announced that Council will accept applications until 5:00 p.m., on Friday, September 16, 2005, for a vacancy on the Roanoke City School Board to fill the unexpired term of Gloria P. Manns, resigned, ending June 30, 2006; and a public hearing to receive the views of citizens on School Board applicants will be held on Monday, September 19, 2005, at 7:00 p.m. or as soon thereafter as the matter may be heard in the City Council Chambers.

File #110-467

Government Finance Officers Association Certificates of Achievement for Excellence in Financial Reporting.
File #10-80

3. CONSENT AGENDA
Approved (7-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meetings of Council held on Monday, July 18, 2005, and Monday, August 1, 2005.
RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.
- C-2 A communication from the City Manager requesting that Council schedule a public hearing for Monday, September 19, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to the Capital Maintenance and Equipment Replacement Program (CMERP).
RECOMMENDED ACTION: Concur in the request.
File #132-270
- C-3 A communication from the City Manager requesting that Council schedule a public hearing for Monday, September 19, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to the lease of air rights at 301 Jefferson Street, S. W., in order to install balconies along Kirk Avenue.
RECOMMENDED ACTION: Concur in the request.
File #132-373-481
- C-4 A communication from Gloria P. Manns tendering her resignation as a Trustee of the Roanoke City School Board.
RECOMMENDED ACTION: Accept the resignation and receive and file the communication.
File #110-467

C-5 Fifth Annual Report of the Industrial Development Authority for the period July 1, 2004 through June 30, 2005.

RECOMMENDED ACTION: Receive and file.

File #109-110-207

C-6 Qualification of Susan M. Egbert as a member of the Roanoke Arts Commission, for a term ending June 30, 2008.

RECOMMENDED ACTION: Receive and file.

File #15-110-230

REGULAR AGENDA

BID OPENINGS:

Bids for the lease of certain City-owned property located in the Commonwealth Building for office space for a term of up to ten years.

One bid was received from the United States of America, General Services Administration, and referred to the City Manager for report and recommendation to Council.

File #166-373-524

4. PUBLIC HEARINGS:

- a. Proposal of the City of Roanoke to lease City-owned property located in the Commonwealth Building for office space for a term of up to ten years. Darlene L. Burcham, City Manager.

Adopted Ordinance No. 37166-090605. (7-0)

File #166-373-524

5. PETITIONS AND COMMUNICATIONS:

- a. A communication from Mayor C. Nelson Harris recommending establishment of a policy for awarding the Key to the City.

Concurred in recommendation.

File #80-132

- b. Presentation with regard to the Hall Associates Career & Employment Assistance Center at Virginia Western Community College. Sandra R. McMinnis, Spokesperson. (Sponsored by Mayor Harris and Vice-Mayor Fitzpatrick.)
No action was taken.
File #467

6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. Acceptance of the Victim/Witness Assistance Program Grant from the Department of Criminal Justice Services; and appropriation and transfer of funds.
Adopted Budget Ordinance No. 37167-090605 and Resolution No. 37168-090605. (7-0)
File #60-133-236-502
2. Acceptance of the Edward Byrne Memorial Justice Assistance Grant from the U. S. Department of Justice; and appropriation of funds.
Adopted Budget Ordinance No. 37169-090605 and Resolution No. 37170-090605. (7-0)
File #5-60-236
3. Acceptance of the Buffer Zone Protection Program Grant from the Department of Homeland Security; and appropriation of funds.
Adopted Budget Ordinance No. 37171-090605 and Resolution No. 37172-090605. (7-0)
File #60-188-236
4. Transfer of \$672,651.00 in connection with the Fire/EMS Administration Facility Funding.
Adopted Budget Ordinance No. 37173-090605. (7-0)
File #60-70

5. Approval of a 12-month extension of the agreement with JDR ART, Inc., dated September 17, 2004, in connection with the "Unity" sculpture.

Adopted Resolution No. 37174-090605. (7-0)
File #311

b. DIRECTOR OF FINANCE:

1. Financial report for the month of June 2005.

Received and filed.
File #10

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. A resolution designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Session and meetings of the Urban Section of the Virginia Municipal League, and designating a Staff Assistant for any meetings of the Urban Section, in connection with the Annual Virginia Municipal League Conference to be held on October 23 – 25, 2005, in Richmond, Virginia.

Adopted Resolution No. 37175-090605. (7-0)
File #17-132

- b. A resolution designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Meeting of the National League of Cities on Saturday, December 10, 2005, in Charlotte, North Carolina.

Adopted Resolution No. 37176-090605. (7-0)
File #132-228

- c. **Adopted Resolution No. 37177-090605 changing the time of commencement of the regular meeting of Council scheduled to be held at 12:00 noon on Monday, September 19, 2005. (7-0)
File #132**

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. **Inquiries and/or comments by the Mayor and Members of City Council.**

Council Member Lea called attention to the Henry Street Heritage Festival which will be held on Saturday, September 24 from 11:00 a.m. until 10:00 p.m., and on Sunday, September 25 from 1:00 – 6:00 p.m., in Elmwood Park.

File #87-511

Vice-Mayor Fitzpatrick commended the efforts of City staff to remove a fallen tree on Carolina Avenue.

File #80-184-240

- b. **Vacancies on certain authorities, boards, commissions and committees appointed by Council.**

Appointed Martha Williams as a Member of the Roanoke Neighborhood Advocates for a term ending June 30, 2008.

File #15-110-488

Reappointed Alison Blanton and James Schleuter as members of the Architectural Review Board for terms commencing October 2, 2005 and ending October 1, 2009.

File #15-110-249

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Mr. Robert N. Richert, 415 Allison Avenue, S. W., commended the City of Roanoke and the Roanoke Redevelopment and Housing Authority with regard to the renovation of houses in the 400 block of Day Avenue, S. W.; i.e.: "Day On The Hill" project. File #178

Ms. Helen E. Davis, 35 Patton Avenue, N. E., requested a written definition of the Central Business District and its boundaries, the date of establishment of the Central Business District, and the date(s) and description of any boundary changes. She expressed concern that staff briefings are not held in the City Council Chamber and televised on RVTV Channel 3. File #132-277

Mr. Robert E. Gravely, 727 29th Street, N. W., expressed concern with regard to the overall operation of the City of Roanoke. File #66-175

12. CITY MANAGER COMMENTS: NONE.

CERTIFICATION OF CLOSED SESSION. (6-0, Council Member Lea was not present when the vote was recorded.)